

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DIONNE HENDERSON	:	CIVIL ACTION
v.	:	
DELANEY, <u>et al.</u>	:	NO. 12-4265

ORDER

AND NOW, this day of , 2012 respondents' time for filing a response to the petition for writ of habeas corpus is extended to November 17, 2012.

BY THE COURT:

M. FAITH ANGELL
United States Magistrate Judge

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FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DIONNE HENDERSON	:	CIVIL ACTION
v.	:	
DELANEY, <u>et al.</u>	:	NO. 12-4265

**MOTION FOR ENLARGEMENT OF TIME TO FILE
RESPONSE TO PETITION FOR WRIT OF HABEAS CORPUS and MOTION
FOR PERMISSION TO FILE OUT OF TIME**

The response to this petition for writ of habeas corpus was due yesterday, October 18, 2012. However, the undersigned respectfully requests permission to file out of time the present request for extension of time. Additionally, undersigned counsel finds it necessary to seek a 30-day extension of this previous deadline in order that she might provide the Court with a complete and helpful response.

Though the undersigned was assigned this matter about a week ago and she recorded the due date on her calendar, she failed to notice the entry until she reviewed her calendar today. The undersigned respectfully requests permission to file to present request for extension of time out of time.

In the past sixty days, the undersigned filed a supplemental response in *Brown v. Folino*, Civil Action No. 09-3970 (filed August 24, 2012); and responses in *Anderson v. Wenerowicz*, Civil Action No. 12-1638 (filed September 7, 2012); *Warrington v. Rozum*, Civil Action No. 12-2693 (filed September 11, 2012); *Burns v. Gavin*, Civil Action No. 12-2006 (filed September 19, 2012) and *Santiago v. Folino*, Civil Action No. 12-4065 (filed October 10, 2012); objections to the grant of the writ in *White v. Lamas, et al.*, Civil Action No. 11-2339 (filed August 31, 2012). Additionally, the undersigned is

currently drafting the response in *Zodoq El v. Hammond*, Civil Action No. 03-6324; *Saget v. Bickell*, Civil Action No. 12-2047 and *Bracey v. Fisher*, Civil Action No. 12-3595.

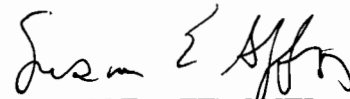
Before she can turn her attention to the present case, the undersigned must complete the responses in *Zodoq El*, *Saget*, and *Bracey*, and file responses ; *Lane v. Bickell*, Civil Action No. 12-2828, *Pedroza v. Wenerowicz*, Civil Action No. 12-3364, and *Carter v. Walsh*, Civil Action No. 12-4357, and *Frazier v. Wingard*, Civil Action No. 12-4777, all of which were assigned before the present case.

Additionally, as this Court is aware, the federal litigation unit of the Philadelphia District Attorney's Office has been working with only eight attorneys on staff – one fewer than is typical for the office. One of our senior attorneys retired in the spring and, due to extreme budget cuts, the office has not been able to hire a replacement. Additionally, this unit has one paralegal, who assists with filings; she is out on a medical leave, due to a recent surgery. Finally, one of the remaining eight attorneys in the unit is currently recuperating from a sudden illness, which has strained the resources of the unit further.

Undersigned counsel has reviewed the habeas petition, reviewed this office's internal docket, and is attempting to locate any relevant files this office has relating to the trial and appeals. In light of the foregoing, respondents' best estimate as to the length of time required to obtain the complete record, review the files, and to draft and edit the response is 30 days. This is, of course, only an estimate. Counsel will file the response as soon as possible.

WHEREFORE, respondents respectfully request that they be granted a 30-day enlargement of time to November 17, 2012, in which to file their response to the Petition for Writ of Habeas Corpus.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Susan E. Affronti", written in a cursive style.

SUSAN E. AFFRONTI
Assistant District Attorney

THOMAS W. DOLGENOS
Chief, Federal Litigation

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DIONNE HENDERSON : CIVIL ACTION

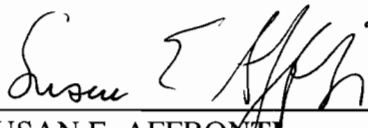
v. :

DELANEY, et al. : NO. 12-4265

CERTIFICATE OF SERVICE

I, SUSAN E. AFFRONTI, hereby certify that on October 19, 2012 a copy of the foregoing pleading was served by placing same, first-class, postage prepaid, in the U.S. Mail, addressed to:

Dionne Henderson
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